

NOT FOR PUBLICATION

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

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In re: :

CHAIN TECHNOLOGY, INC. : BK No. 00-11405
Debtor Chapter 7

- - - - - x

TITLE: *In re Chain Technology, Inc.*

CITATION: Unpublished

ORDER SETTING COMPENSATION

After hearing, and upon consideration of the Fee Application of Wynn & Wynn, P.C., in the amount of \$67,106 for fees and expenses of \$1,712, Docket No. 152, and applying the lodestar and other factors used in this Circuit, *see Garb v. Marshall (In re Narragansett Clothing Co.)*, 210 B.R. 493, (B.A.P. 1st Cir. 1997), the request is modified as follows:

(1) The Application is reduced by \$1,000 on account of excessive time expended by the firm at the first hearing regarding the Debtor's use of cash collateral. At that point in time, Slade's Ferry Trust Company was over-secured by a great margin, and the attendance of three members of the firm, without a showing of need, amounted to overkill under the circumstances;

(2) The Application is further reduced by \$10,788 in fees and \$560 in expenses for services rendered by Wynn & Wynn litigating in state court against Ester Mandell, on matters

unrelated to this case. See Exhibit E to Application. The Applicant has offered no reason why the Debtor should be liable for such fees;

(3) During the period May 1, 2000 through March 12, 2001, there are at least fifty-six instances where the Applicant describes work performed only as "Conference with Attorney Pontes." That description of services lacks adequate detail to determine the reasonableness of the time expended. These entries, which total \$2,497, are disallowed. The Applicant is allowed a one-time opportunity to amend its application, within twenty (20) days, to include the detail required under First Circuit guidelines. See *Garb v. Marshall (In re Narragansett Clothing Co)*, 210 B.R. 493, 500 (B.A.P. 1st Cir. 1997)("Where time entries fail to identify the subject matter of the work, compensation for the task may be denied or reduced"); *In re Almacs, Inc.*, 178 B.R. 598, 606 (Bankr. D.R.I. 1995).

For the foregoing reasons, the Application of Wynn & Wynn is ALLOWED in the amount of \$52,821 in compensation and \$1,152 in expenses.

Dated at Providence, Rhode Island, this 23rd day of July, 2001.

/s/ Arthur N. Votolato
Arthur N. Votolato
U.S. Bankruptcy Judge